



കേരള സർക്കാർ
Government of Kerala
2018



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ് KERALA GAZETTE

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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PART III

Industries Department

PROCEEDINGS OF THE GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE, PALAKKAD

(Present : Rajmohan, G.)

No. V2/3778/11. 22nd November 2017.

Sub :—Handloom—Peruvemba Weavers Co-operative Society Ltd. No. F.1608—Final winding up of—Appointment of Liquidator—Orders—issued

Read :—1. This Office Order No. V1/2950/97, dated 29-1-1999.

2. Judgment in WP (C) No. 26221/04, dated 15-11-2004 of Hon'ble High Court of Kerala.

3. Government Order No. 114/05/IND dated 10-2-2005 of Industries (C) Department.

4. This Office Proceedings No. V2/2835/15 dated 18-6-2015.

5. Letter No. HL/C1/9145/10, dated 5-1-2016 of Director of Handloom & Textiles, Thiruvananthapuram.

6. Judgement dated 5-9-2016 WP (C) No. 23255/16 Before the Hon'ble High Court of Kerala.

7. Judgment dated 30-1-2017 in WP (C) No. 34075 of the Hon'ble High Court of Kerala.

8. Writ appeal No. 811/2017 against the Judgement in WP (C) 34075/16.

9. Copy of the Letter No. T3/W.A. 811/2017 dated 11-7-2017 of AG, Ernakulam.

10. Section No. 71, 72 & 73 and Rule No. 69 & 70 of KCS Act 1969.

M/s Peruvemba Weavers Co-op. Society Ltd. No. F. 1608, Pervemba, engaged in Handloom weaving was registered on 19-7-1954 and started working from

27-7-1954 under Madras Co-operative Societies Act. The Society functioned well up to 1995. A Vigilance case regarding some financial misappropriations done by the Director Board of the Society during 1996-98 was come up, which is still pending at Vigilance Court, Thrissur. Subsequently the Society was defunct and ordered for final winding up as per this office order read as first above. Aggrieved on this the Board of the Society filed a WP (C) No. 26221/04 before the Hon'ble High Court of Kerala and on the basis of the Judgment in it vide read as 2nd & Government Letter vide 3rd read, an Administrative Committee was appointed for the purpose of revival of the Society. Later the validity of the Committee was extended further dated 27-10-2010, 7-3-2011, 16-5-2011, 3-8-2011, 18-1-2014 & 18-6-2015. But the Committee did not take any tangible steps to revive or restart the Society during the period.

As per the letter read as 5th above, the Director of Handlooms & Textiles had instructed to take further steps as there was no Scope to extend the validity of the Committee repeatedly after a laps of five years of Administrative Committee Rule from 2010, which evoked any result for revival or restart of the Society.

The Administrative Committee again filed a WP (C) No. 23255/16 before the Hon'ble Court for conducting election in the Society. As per the direction of the Court vide Judgement read as 6th the Petitioner was heard on 5-9-2016 and directed to Submit revival proposal, but he failed to furnish a viable proposal. As such no Committee was permitted to appoint in the Society after 2015 as per rules.

Again the former president of the Administrative Committee of the Society, Sri N. Parameswaran filed another WP (C) No. 34075/16 before the Hon'ble High Court to conduct Election for the Director Board of the society. The Hon'ble Court dismissed the writ petition vide paper read as 7th above that "there is absolutely no bona fides in seeking orders for conduct of election to form a new managing committee for the Society".

As per the paper 8th above the former president of the committee filed a Writ Appeal against the judgement in WP (C) 34075/16 dated 30-1-2017. The Hon'ble Court

directed the registrar to take a final call in the matter whether to wind up the Society or to hold election. The Judgement in the writ appeal dated 30-5-2017 forwarded by the Advocate General's Office received by this office only on 2-8-2017. Moreover this office has sought for remarks from the concerned Palakkad District Co-operative Bank Ltd. & Circle Co-operative Union regarding winding up or this Society as per the rules prior to appoint of the official Liquidator.

As the Society is defunct for last 20 years and no creative steps for the revival or to restart the Society by the former Committees appointed for the purpose during the period, also the Committee failed to submit a viable revival proposal, it is decided to final winding up the Society as per Kerala Co-operative Societies Act, 1969 vide paper read as 10th above. Further the former committees of the Society did not succeed to convene single general body meeting of the members, instead merely filing of petitions and representations for conducting Election is the Society. Hence the order.

ORDER

In the circumstances explained above, and in exercise of powers confirmed in me, Senior Co-operative Inspector, (Handloom) Taluk Industries Office, Chittur is hereby appointed as the official Liquidator of the M/s Peruvemba Weavers Co-operative Society Ltd. No.F. 1608, Peruvemba (P.O.) of Palakkad District as per Sec. 71 (1), 72 (1) & (2). The Liquidator is directed to take the charges of the Society and to report forthwith. The Liquidation procedures shall be completed within 3 years from the date of this order. Further he is directed to submit the balance sheet and to get the statutory Audit to be completed as on the date of taking charge of the Society within 3 months without fail.

(Sd.)

District Industries Centre,
Palakkad.

*General Manager &
Registrar of Industrial
Co-operative Society.*